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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

Docket Number (Optional)  
SCEI 16.105A (100809-18103)

## REJECTION OVER A PRIOR PATENT

In re Application of: NOBUO SASAKI, et al

Application No.: 09/854,839

Filed: May 14, 2001

For: PORTABLE ELECTRONIC DEVICE, ENTERTAINMENT SYSTEM AND METHOD OF OPERATING THE SAME

The owner, SONY COMPUTER ENTERTAINMENT INC. of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,254,477, ISSUED JULY 3, 2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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*Brian S Myers*  
Signature

June 17, 2004

Date

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